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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 NATHANIEL MARCUS GANN, et al.,

12 Plaintiffs,

13 vs.

14 VALLEY STATE PRISON, et al.,

15 Defendants.  
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1:19-cv-01797-GSA-PC

**ORDER DENYING VLADIMIR EBEL'S  
NOTICE OF VOLUNTARY DISMISSAL AS  
MOOT  
(ECF No. 18.)**

18 Nathaniel Marcus Gann ("Plaintiff Gann") is a state prisoner proceeding *pro se* and *in*  
19 *forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff Gann and  
20 fourteen co-plaintiffs filed the Complaint commencing this action on December 26, 2019. (ECF  
21 No. 1.)

22 Now, Plaintiff Gann is the only plaintiff in this case. On January 7, 2020, the court issued  
23 an order severing his fourteen co-plaintiffs' claims from Plaintiff Gann's claims and directing  
24 the Clerk to open a new case for each of the fourteen co-plaintiffs. (ECF No. 10.) Thus, each of  
25 the fourteen co-plaintiffs now proceeds with his own case and case number.

26 On January 30, 2020, one of the former co-plaintiffs, Vladimir Ebel ("Ebel"), notified the  
27 court that he "does not wish to proceed in this Complaint." (ECF No. 18 at 1.) The court  
28 construes Ebel's notice as a notice of voluntary dismissal.

1 Ebel's notice of voluntary dismissal is moot because he and his claims were severed from  
2 this case on January 7, 2020. (ECF No. 10.) Ebel now proceeds with his own case, case number  
3 **1:20-cv-00034-GSA-PC; Ebel v. Valley State Prison, et al.** Ebel should only file documents  
4 in his own case. If Ebel wishes to dismiss his case he must file a notice of voluntary dismissal  
5 in case **1:20-cv-00034-GSA-PC; Ebel v. Valley State Prison, et al.**

6 Based on the foregoing, IT IS HEREBY ORDERED that:

- 7 1. Vladimir Ebel's notice of voluntary dismissal, filed on January 30, 2020, is  
8 DENIED as moot;
- 9 2. If Ebel wishes to dismiss his own case, he must file a motion for voluntary  
10 dismissal in case **1:20-cv-00034-GSA-PC; Ebel v. Valley State Prison, et al.**

11 IT IS SO ORDERED.  
12

13 Dated: **February 3, 2020**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE